

REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks. The Applicants originally submitted Claims 1-20 in the application. In response to the Office Action mailed June 23, 2004, the Applicants elected to prosecute the invention of Group I, namely Claims 1-12, and canceled non-elected Claims 13-20. In response to the present Office Action, Claims 1-12 has been amended and no new claims are added. Accordingly, Claims 1-12 are currently pending in the application.

I. Formal Matters and Objections

The Examiner has objected to the specification as containing informalities; namely, an abstract in excess of 150 words.

In response, the Applicants have amended the specification to provide an abstract of less than 150 words.

In addition Claim 10 has been amended to fix an inadvertent typographical error.

II. Rejection of Claims 1-12 under 35 U.S.C. §112 second paragraph

The Examiner has rejected Claims 1-12 under 35 U.S.C. §112 second paragraph as being indefinite. In particular, the Examiner requests clarification or correct concerning the use of the term "a carboxylate (CO₂H)" in Claim 1.

In response, as discussed in the interview between the Examiner and the under signed attorney of record held on October 4, 2004, Claim 1 has been amended to recite "a carboxyl CO₂H," with analogous amendments to Claims 4, 7 and 9.

The Examiner also indicated that the word "comprising" in claim 1 renders the claims indefinite because it is not clear whether the claims are directed to a compound or a composition.

In response the Applicants have amended Claims 1 to recite a magnetic resonance contrast agent compound, to clarify that the claims are directed to a compound. Analogous amendments have been made to Claims 2-12.

In view of the foregoing remarks, the Applicants now see Claims 1-12 as meeting the requirements of 35 U.S.C. §112 second paragraph and therefore respectfully request the Examiner withdraw the rejection of these claims.

III. Allowable Subject Matter

The Examiner has indicated that Claims 1-12 would be allowable, but for the §112 second paragraph to Claim 1. The Applicants appreciate this indication of allowable subject matter, and have amended Claim 1 to address the §112 second paragraph rejections, as set forth above.

IV. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a timely Notice of Allowance for Claims 1-12.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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